

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 750 - HB 890

March 8, 2017

SUMMARY OF BILL: Requires the Board of Claims in the Department of Treasury to hear claims for compensation by persons wrongfully convicted and granted exoneration and by persons whose convictions are vacated based on DNA evidence after 25 years in prison. Requires a claim to be filed no later than one year from the date of exoneration, and any time after a conviction is vacated based on DNA evidence.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$1,000,000/One-Time/Risk Management Fund

Other Fiscal Impact – Passage of this bill will increase the liability of the Risk Management Fund up to \$1,000,000 for any future claim paid as a direct result of this bill; the extent and timing of any future payable claims are unknown.

Assumptions:

- Based on information provided by the Department of Treasury, there is only one known case in Tennessee that would meet the criteria of this legislation.
- Pursuant to Tenn. Code Ann. § 9-8-108(a)(7)(A), such compensation shall not exceed \$1,000,000.
- It is assumed that one additional individual will receive the maximum compensation allowed following passage of this bill. As a result, there will be a one-time increase in state expenditures of \$1,000,000 from the Risk Management Fund.
- It is further assumed that the provisions of this bill will also apply to individuals exonerated in the future and to individuals having convictions vacated in the future after 25 years in prison due to DNA evidence; however, the extent and timing of any future payable claims cannot be reasonably determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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